

REMARKS

Claims 1-3 and 5-25 are pending in this application. Claim 4 was previously canceled. Claim 7 has been amended to correct a typographical error. Claim 19 has been restated in independent form. No new matter has been introduced by way of this amendment.

The Examiner rejected claims 1-3, 7, 8 and 15 under 35 USC Section 103(a) as obvious over Schneider (GB 2,325,799), without citing a secondary reference. Although the Examiner references claim 4, claim 4 was previously canceled. The Examiner's rejections are respectfully traversed. Independent claim 1 recites, "the storage device is arranged as a payload for the vehicle and in the receiving and transmitting of the electrical energy the storage device remains arranged as a payload for the vehicle." Independent claim 15 similarly recites, "[a] method of storing and transporting electrical energy by means of a vehicle carrying an electrical storage device as a payload." The storage devices of Schneider power the vehicle, and thus are not arranged as a payload for the vehicle. The Examiner contends that because the batteries of Schneider may transmit or receive power, citing page 3, lines, 11-26, they are not used only to power the vehicle. This is not the same thing as a storage device arranged as a payload. The Examiner does not dispute that the batteries of Schneider power the electric vehicle. Thus, the batteries of Schneider are not arranged as a payload, but are instead coupled to the electric drive of the vehicle. If Schneider were modified such that the batteries did not power the vehicle, then the operating principles of Schneider would be changed. Accordingly, claims 1 and 15 are not rendered obvious by Schneider. Claims 2, 3, 7 and 8 depend from claim 1 and are not rendered obvious by Schneider at least by virtue of their dependencies. Accordingly, claims 1-3, 7, 8 and 15 are not rendered obvious by Schneider.

The Examiner rejected claims 5-7, 9, 10 and 16-18 under 35 USC Section 103(a) as obvious over Schneider in view of U.S. Patent No. 6,384,569 issued to Pintz. The Examiner's rejections are respectfully traversed. Claims 5-7, 9 and 10 depend from claim 1 and claims 16-18 depend from claim 15. The Examiner does not contend that Pintz teaches, suggests or motivates a storage device arranged as a payload, which as discussed above is not taught, suggested or motivated by Schneider. Thus, the combination of Schneider and Pintz does not

render obvious the storage device arranged as a payload as recited in claims 1 and 15. Accordingly, claims 5-7, 9, 10 and 16-18 are allowable at least by virtue of their dependencies.

The Examiner rejected claims 11-14 and 19-25 under 35 USC Section 103(a) as obvious over Schneider in view of U.S. Patent No. 5,960,898 issued to Okada. The Examiner's rejections are respectfully traversed. Claims 11-14 and 20-24 depend from claim 1. Claim 19 has been restated in independent form, and includes the limitations of claim 15. Claim 25 recites "wherein the means for storing electrical energy is arranged as a payload for the vehicle." The Examiner does not contend that Okada discloses an energy storage device arranged as a payload, which as discussed above is not taught, suggested or motivated by Schneider. Thus, the combination of Schneider and Okada does not teach suggest or motivate the recited storage device arranged as a payload. Accordingly, claims 11-14 and 19-25 are not rendered obvious by Schneider, alone or in combination with Okada, because the combination does not teach, suggest or motivate the recited storage device arranged as a payload.

In addition, claim 19 recites, "monitoring a number of charge/discharge cycles for each storage element; and outputting a corresponding notification when a predetermined number of cycles is reached." The Examiner previously pointed generally to ECU 21 in Figure 1 of Okada, and the Examiner points to Column 6, lines 10-67 of Okada in the response to prior arguments. The cited portion of Okada discusses in general the response to commands for increasing electric power or for power conversion efficiency. It mentions that the commands may be based on readings from sensors. There is no discussion in Column 6, lines 10-67 of "monitoring a number of charge/discharge cycles for each storage element; and outputting a corresponding notification when a predetermined number of cycles is reached," as recited. Accordingly, claim 19 is not rendered obvious by Schneider, alone or in combination with Okada, for the additional reason that the combination of Schneider and Okada does not teach, suggest or motivate the claimed monitoring and notification.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

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All of the claims remaining in the application are now clearly allowable.
Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,
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